

IC 20-6.1-5**Chapter 5. Salary and Related Payment Adjustments****IC 20-6.1-5-1****Minimum salary schedules**

Sec. 1. Computation of minimum salary shall be made each school year on the basis of the teacher's training, experience, and degree, completed as of the first day of service. If a teacher is licensed by the professional standards board on the first day of service in the current school year or on another date as agreed by the school employer and the exclusive representative under IC 20-7.5, the minimum salary of the public school teacher is as follows:

(1) The minimum salary of a teacher who has completed four (4) years or one hundred forty-four (144) weeks of professional training, for service during a nine (9) months school term, is five thousand two hundred dollars (\$5,200). To this salary, an increment of one hundred fifty dollars (\$150) shall be added for each of the first ten (10) years of experience. An increment of two hundred fifty dollars (\$250) shall be added to this salary after the fifteenth year and again after the twentieth year of experience.

(2) The minimum salary of a teacher who has completed five (5) years or one hundred eighty (180) weeks of professional training, for service during a nine (9) months school term, is five thousand five hundred dollars (\$5,500). To this salary, an increment of one hundred fifty dollars (\$150) shall be added for each of the first eighteen (18) years of experience. An increment of three hundred dollars (\$300) shall be added to this salary after each of the following years of experience:

- (A) The nineteenth.
- (B) The twentieth.
- (C) The twenty-second.
- (D) The twenty-fourth.
- (E) The twenty-sixth.
- (F) The thirtieth.

(3) The beginning salary of a teacher who has completed less than four (4) years of professional training, for service during a nine (9) months school term, is four thousand seven hundred dollars (\$4,700). To this salary, an increment of one hundred twenty dollars (\$120) shall be added after each of the first ten (10) years of experience.

As added by Acts 1976, P.L.100, SEC.1. Amended by P.L.46-1992, SEC.15.

IC 20-6.1-5-2**Minimum salary schedule; adjustments and qualifications**

Sec. 2. (a) If the school term of or contract with a school corporation is more or less than nine (9) months, the minimum salary as set forth in section 1 of this chapter shall be proportionately increased or decreased.

(b) The professional standards board shall require:

(1) a bachelor's degree from an accredited teacher training institution for each teacher seeking to qualify for the first time for classification under section 1(1) of this chapter; and

(2) a master's degree for each teacher seeking to qualify for the first time for classification under section 1(2) of this chapter.

Five (5) years of training may not be recognized unless at least a bachelor's degree has been completed.

(c) In fixing the annual salary of teachers when contracting with them or when distributing state funds, a fraction of less than one-half (1/2) of a dollar is dropped while a fraction of one-half (1/2) or more is adjusted to the next whole dollar.

As added by Acts 1976, P.L.100, SEC.1. Amended by P.L.46-1992, SEC.16.

IC 20-6.1-5-3

Substitute teachers; wages

Sec. 3. Substitute Teachers-Wages. The governing body shall fix wages for substitute teachers. A "substitute teacher" may be engaged without a written contract.

As added by Acts 1976, P.L.100, SEC.1. Amended by Acts 1977, P.L.239, SEC.3.

IC 20-6.1-5-4

Substitute teachers; wages with certain licenses

Sec. 4. (a) A person who:

(1) holds a:

(A) professional license;

(B) provisional license;

(C) limited license; or

(D) an equivalent license, which is issued by the professional standards board; and

(2) serves as an occasional substitute teacher;

shall be compensated on the pay schedule for substitutes of the school corporation he serves.

(b) A person who:

(1) holds a:

(A) professional license; or

(B) provisional license; and

(2) serves as a substitute teacher in the same teaching position for more than fifteen (15) consecutive school days;

shall be compensated on the regular pay schedule for teachers of the school corporation he serves.

As added by Acts 1976, P.L.100, SEC.1. Amended by P.L.20-1984, SEC.83; P.L.46-1992, SEC.17.

IC 20-6.1-5-5

Substitute teachers; wages with substitute license

Sec. 5. Substitute Teachers—Wages with Substitute License. A person who holds a substitute license shall be compensated on the

pay schedule for substitutes of the school corporation he serves.
As added by Acts 1976, P.L.100, SEC.1.

IC 20-6.1-5-6

Teacher payments; sick days; death in family

Sec. 6. Teacher Payments—Sick Days; Death in Family. (a) Each teacher may be absent from work with pay:

- (1) on account of illness or quarantine for ten (10) days the first year and seven (7) days in each succeeding year (these days are called sick days); and
- (2) for death in his immediate family for a period extending not more than five (5) days beyond the death.

If the teacher does not use all his sick days in a school year, the unused days accumulate up to a total of ninety (90) days. However, each teacher shall be credited with the accumulative days accrued to him on January 1, 1966.

If a teacher accumulates one (1) or more sick days and then becomes employed in another school corporation, there shall be added to his sick days, for his second year and each succeeding year, up to three (3) sick days until the accumulated days to which the teacher was entitled in his last employment are exhausted.

(b) Other absences, when agreed on by the school employer and the exclusive representative under IC 20-7.5, may be taken with pay.

(c) A school corporation may adopt regulations governing the payment or part payment of teachers and then make the payments in accord with them to those teachers who may be absent because of:

- (1) sickness;
- (2) attending school conventions or meetings;
- (3) visiting other schools; or
- (4) a death in the immediate family.

As added by Acts 1976, P.L.100, SEC.1.

IC 20-6.1-5-7

Sick day bank

Sec. 7. Sick Day Bank. A school corporation may establish a voluntary sick day bank to which a teacher may contribute unused sick days and from which a contributing teacher may draw sick days when his accumulated sick days are exhausted.

As added by Acts 1976, P.L.100, SEC.1.

IC 20-6.1-5-8

Teacher payments; personal days

Sec. 8. Teacher Payments—Personal Days. Each teacher may have at least two (2) days each year with pay for the transaction of personal business or the conduct of personal or civic affairs. The teacher shall submit to the superintendent a written statement describing the reason and necessity for the absence.

As added by Acts 1976, P.L.100, SEC.1.

IC 20-6.1-5-9

Teacher payments when school is closed

Sec. 9. (a) If during the term of the teacher's contract:

(1) the school is closed by order of the:

(A) school corporation; or

(B) health authorities; or

(2) school cannot be conducted through no fault of the teacher; the teacher shall receive regular payments during that time. However, whenever a cancelled student instructional day (as defined in IC 20-10.1-2-1) is rescheduled to comply with IC 20-10.1-2-1, each teacher and (notwithstanding IC 20-9.1-3-5) each school bus driver shall work on that rescheduled day without additional compensation.

(b) The school may be closed for up to two (2) weeks for Christmas holidays without payment of teachers' salaries. Closing the school for Christmas holidays does not shorten the length of the school term.

As added by Acts 1976, P.L.100, SEC.1. Amended by P.L.390-1987(ss), SEC.7.

IC 20-6.1-5-10**Teacher payments for Saturday**

Sec. 10. Teacher Payments for Saturday. The governing body of a school city may pay the salary of teachers for Saturdays, in addition to the other days that school is in session.

As added by Acts 1976, P.L.100, SEC.1.

IC 20-6.1-5-11**Salary deductions**

Sec. 11. Salary Deductions. A governing body shall withhold, on written request from a teacher, a requested amount of money from the salary of that teacher. A governing body may receive, on written request from a beneficiary of the state teachers' retirement fund, a given amount of money.

The governing body shall hold these amounts and pay them, as requested by the teacher or the beneficiary, to an insurance company or other agency or organization in the state which provides, extends, supervises or pays for insurance or other protection or for the establishment of or payment on an annuity account for the teacher. If a dividend accrues on a policy, it shall be paid or credited to the teacher.

However, if less than twenty percent (20%) of the teachers make a request for paying these amounts of money to a single recipient, withholding the amounts of money for insurance, dues, or other purposes is discretionary with the governing body.

As added by Acts 1976, P.L.100, SEC.1.

IC 20-6.1-5-12**Retirement or severance pay**

Sec. 12. (a) If a governing body of a school corporation agrees to a retirement, savings, or severance pay plan with a teacher or with an exclusive representative pursuant to IC 20-7.5-1, the benefits may be

paid to the teacher who is eligible under a negotiated retirement, savings, or severance pay plan, or, in the case of the teacher's death, to the teacher's designated beneficiary or the teacher's estate if there is no designated beneficiary. Payments may be made in a lump sum or in installments as agreed upon by the parties or to a savings plan established under IC 5-10-1.1-1(2).

(b) Notwithstanding IC 6-1.1-20, the payments under this section shall be made from the general fund of the school corporation and may be made for a period exceeding one (1) year.

As added by Acts 1980, P.L.28, SEC.11. Amended by P.L.200-1985, SEC.1; P.L.42-1988, SEC.4.

IC 20-6.1-5-13 Repealed

(Repealed by P.L.342-1989(ss), SEC.38.)

IC 20-6.1-5-14

Participation in health insurance plan upon retirement

Sec. 14. A teacher who is employed by a school corporation that provides a health insurance plan for its employees may participate in the health insurance plan upon retirement, as prescribed by IC 5-10-8.

As added by P.L.46-1985, SEC.3.

IC 20-6.1-5-15

Suspension of teacher without pay

Sec. 15. (a) This section applies to the suspension of a teacher without pay when the procedure for the cancellation of the teacher's contract under IC 20-6.1-4-11 does not apply.

(b) A teacher may be suspended from duty without pay only for the following reasons:

- (1) Immorality.
- (2) Insubordination, which means the willful refusal to obey the state school laws or reasonable rules prescribed for the government of the school corporation.
- (3) Neglect of duty.
- (4) Substantial inability to perform teaching duties.
- (5) Good and just cause.

(c) A teacher may be suspended without pay only under the following procedure:

- (1) The teacher shall be notified in writing not more than forty (40) days nor less than thirty (30) days before the date of the consideration of the date, time, and place for the consideration by the school corporation of the suspension of the teacher without pay.
- (2) The teacher shall be furnished, not later than five (5) days after a written request, a written statement of the reasons for the consideration.
- (3) The teacher may file a written request for a hearing not later than fifteen (15) days after receipt of the notice of this consideration.

- (4) When the request for a hearing is filed, the teacher shall be given a hearing before the governing body on a day not earlier than five (5) days after filing the request.
- (5) The teacher shall be given at least five (5) days notice of the time and place of the hearing.
- (6) At the hearing, the teacher is entitled:
 - (A) to a full statement of the reasons for the proposed suspension without pay; and
 - (B) to be heard and to present the testimony of witnesses and other evidence bearing on the reasons for the proposed suspension without pay.
- (7) A teacher may not be suspended without pay until:
 - (A) the date is set for consideration of the suspension without pay;
 - (B) after a hearing is held, if a hearing is requested by the teacher; and
 - (C) except on the suspension of a superintendent's contract, the superintendent has given recommendations on the suspension not later than five (5) days after the school corporation makes the request for recommendations.
- (8) After complying with this section, the governing body of the school corporation may suspend a teacher without pay for a reasonable time by a majority vote evidenced by a signed statement in the minutes of the board.

The vote to suspend a teacher without pay described in subdivision (8) must be taken by the governing body on the date and at the time and place specified in subdivision (1).

(d) The governing body may appoint an agent (who is not an employee of the school corporation, but who may be a member of the governing body or an attorney retained to administer the hearing proceedings under this section) for the purpose of issuing subpoenas for the attendance of witnesses for either party at the hearing. A subpoena issued under this section shall be:

- (1) served by the party who seeks to compel the attendance of a witness; and
- (2) upon application to the court by the party, enforced in the manner provided by law for the service and enforcement of subpoenas in a civil action.

As added by P.L.161-1991, SEC.2. Amended by P.L.1-1992, SEC.100; P.L.105-1992, SEC.4.